

IPW

I hereby certify that this correspondence is being deposited with the United  
States Patent and Trademark Office as first class mail in an envelope addressed to:

**PATENT**  
Docket No.: 14572P-060210US

Mailstop Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

On October 6, 2004

TOWNSEND and TOWNSEND and CREW LLP

By: Sherbonne Barnes Colerson

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Ralph MERREM and John  
CAVACUITI

Application No.: 10/810,047

Filed: March 25, 2004

For: PORTABLE ELECTRONIC  
DEVICE PHYSICAL SECURITY  
APPARATUS WITH ALARMED  
CABLE

Examiner: Unassigned

Art Unit: Unassigned

**PETITION EVIDENCING DEPOSIT OF  
DRAWINGS**

10/13/2004 HALI11 0000029-201430 10810047

01 FC:1460

130.00 DA

October 6, 2004

Mailstop Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants have received a Notice of Incomplete Nonprovisional Application dated August 6, 2004 (copy attached as Exhibit A), stating that the application was deposited without drawings. Applicants respectfully point out that the return postcard stamped by the U.S. Patent and Trademark Office Mail Room (copy attached as Exhibit B), as well as the Transmittal submitted with the application (copy attached as Exhibit C) evidence receipt of twelve (12) sheets of drawings. Applicants

Ralph MERREM and John CAVACUITI  
Application No.: 10/810,047  
Page 2

PATENT

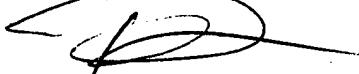
respectfully state that the drawings were submitted with the application, as evidenced by Applicant's file copy of the application (copies of the submitted drawings enclosed as Exhibit D).

Applicants are concurrently submitting a Declaration/Oath and Filing Fee, by way of a Response to Notice of Missing Parts. These documents are being directed to Mailstop Missing Parts.

In view of the fact that the drawings were not omitted, Applicants request that the U.S. Patent and Trademark Office acknowledge receipt of the specification as well as the attached drawings, as of the filing date of March 25, 2004. Applicants also respectfully request that the petition fee be refunded if it is charged. The U.S. Patent and Trademark Office is invited to telephone the attorney of record if any further issues remain (415.576.0200).

Please charge any additional fees or credit overpayment to the Deposit Account No. 20-1430.

Respectfully submitted,



Patrick R. Jewik  
Reg. No. 40,456

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: (415) 576-0200  
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PRJ:sba

ITW

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

130

Complete if Known

Application Number	10/810,047
Filing Date	March 25, 2004
First Named Inventor	MERREM, Ralph
Examiner Name	Unassigned
Art Unit	Unassigned
Attorney Docket No.	14572P-060210US

## METHOD OF PAYMENT (check all that apply)

Check     Credit Card     Money Order     Other     None

Deposit Account:

Deposit Account Number

20-1430

Deposit Account Name

Townsend and Townsend and Crew LLP

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below     Credit any overpayments

Charge any additional fee(s) or any underpayment of fee(s)

Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims		Fee from below	Fee Paid
	**	=	X	=
Independent Claims				
Multiple Dependent			X	

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity	Entity	Small Entity	Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive – unavoidable	
1453	1,330	2453	665	Petition to revive – unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	130
1807	50	1807	50	Petitions related to provisional applications	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid SUBTOTAL (3)

(\$130)

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type) Patrick R. Jewik Registration No. (Attorney/Agent) 40,456 Telephone 415-576-0200

Signature \_\_\_\_\_ Date October 6, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/810,047	03/25/2004	Ralph Merrem	14572P-060210US

## CONFIRMATION NO. 7862

20350

TOWNSEND AND TOWNSEND AND CREW, LLP  
 TWO EMBARCADERO CENTER  
 EIGHTH FLOOR  
 SAN FRANCISCO, CA 94111-3834

## FORMALITIES LETTER



\*OC000000013461079\*

Date Mailed: 08/06/2004

## NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

A filing date has NOT been accorded to the above-identified application papers for the reason(s) indicated below.

All of the items noted below and a newly executed oath or declaration covering the items must be submitted within **TWO MONTHS** of the date of this Notice, unless otherwise indicated, or proceedings on the application will be terminated (37 CFR 1.53(e)). Replies should be mailed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the item(s) required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.17(h)). If the petition states that the application is entitled to a filing date, a request for a refund of the petition fee may be included in the petition. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

- The application was deposited without drawings. 35 U.S.C. 113 (first sentence) requires a drawing "where necessary for the understanding of the subject matter sought to be patented." *Applicant should reconsider whether the drawings are necessary under 35 U.S.C. 113 (first sentence).*
- The statutory basic filing fee is missing. *Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing. *A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$770** for a Large Entity

- **\$770** Statutory basic filing fee.

EXHIBIT A

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

*AG*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202  
PART 2 - COPY TO BE RETURNED WITH RESPONSE



PATENT APPLICATION  
FILING ACKNOWLEDGMENT

Mailing Date: 3/25/04  
File No.: 14572P060210 Attorney: KTL:db:lo  
Inventor(s): Merrem  
Title: Portable Electronic Device Physical  
Security Apparatus with Alarmed Cable  
 Declaration  Power of Attorney w/Utility Appln. Trans.,  
 Combined Declaration & Power of Attorney ADS  
 Assignment  Small Entity Decl. 22859 U.S.PTO  
10/810047  
No. Pages of Description: 13  
No. Pages of Claims: 3  
No. Pages of Abstract: 1  
No. Sheets of Drawings: 12

Please stamp the date of receipt of the enclosed documents and return this card to addressee

Mailing Date: 3/25/04  
File No.: 14572P060210 Attorney: KTL:db:lo  
Inventor(s): Merrem  
Title: Portable Electronic Device Physical  
Security Apparatus with Alarmed Cable  
 Declaration  Power of Attorney w/Utility Appln. Trans.,  
 Combined Declaration & Power of Attorney ADS  
 Assignment  Small Entity Decl.

No. Pages of Description: 13  
No. Pages of Claims: 3  
No. Pages of Abstract: 1  
No. Sheets of Drawings: 12

Please stamp the date of receipt of the enclosed documents and return this card to addressee

EV382225187US

COPY

EXHIBIT B

**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

OCT 12 2004  
PATENT & TRADEMARK OFFICE

Attorney Docket No. 14572P-060210US

First Inventor

Merrem, Ralph

Title

PORTABLE ELECTRONIC DEVICE  
PHYSICAL SECURITY APPARATUS  
WITH ALARMED CABLE

Express Mail Label No.

EV382225187

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1.  Fee Transmittal Form (e.g., PTO/SB/17)  
*(Submit an original and a duplicate for fee processing)*
2.  Applicant claims small entity status.  
See 37 CFR 1.27.
3.  Specification [Total Pages 17]  
*(preferred arrangement set forth below)*
  - Descriptive title of the Invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4.  Drawing(s) (35 U.S.C. 113) [Total Sheets 12]
5. Oath or Declaration [Total Pages 1]
  - a.  Newly executed (original or copy)
  - b.  Copy from a prior application (37 CFR 1.63 (d))  
*(for a continuation/divisional with Box 18 completed)*
    - i.  **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6.  Application Data Sheet. See 37 CFR 1.76

**ADDRESS TO**Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

7.  CD-ROM or CD-R in duplicate, large table or Computer Program (*Appendix*)
8. Nucleotide and/or Amino Acid Sequence Submission  
*(if applicable, all necessary)*
  - a.  Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i.  CD-ROM or CD-R (2 copies); or
    - ii.  Paper number of pages
  - c.  Statements verifying identity of above copies

**ACCOMPANYING APPLICATIONS PARTS**

9.  Assignment Papers (cover sheet & document(s))
10.  37 CFR 3.73(b) Statement  Power of Attorney  
*(when there is an assignee)*
11.  English Translation Document (*if applicable*)
12.  Information Disclosure Statement (IDS)/PTO-1449  Copies of IDS Citations
13.  Preliminary Amendment
14.  Return Receipt Postcard (MPEP 503)  
*(Should be specifically itemized)*
15.  Certified Copy of Priority Document(s)  
*(if foreign priority is claimed)*
16.  Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent
17.  Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation       Divisional       Continuation-in-part (CIP)

of prior application No: \_\_\_\_\_

Prior application information: Examiner \_\_\_\_\_

Art Unit: \_\_\_\_\_

For CONTINUATION OF DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS** Customer Number

20350

OR  Correspondence address below

Name					
Address					
City		State		Zip Code	
Country		Telephone		Fax	

Name (Print/Type)	Kevin T. LeMond	Registration No. (Attorney/Agent)	35,933
Signature			Date
			March 25, 2004

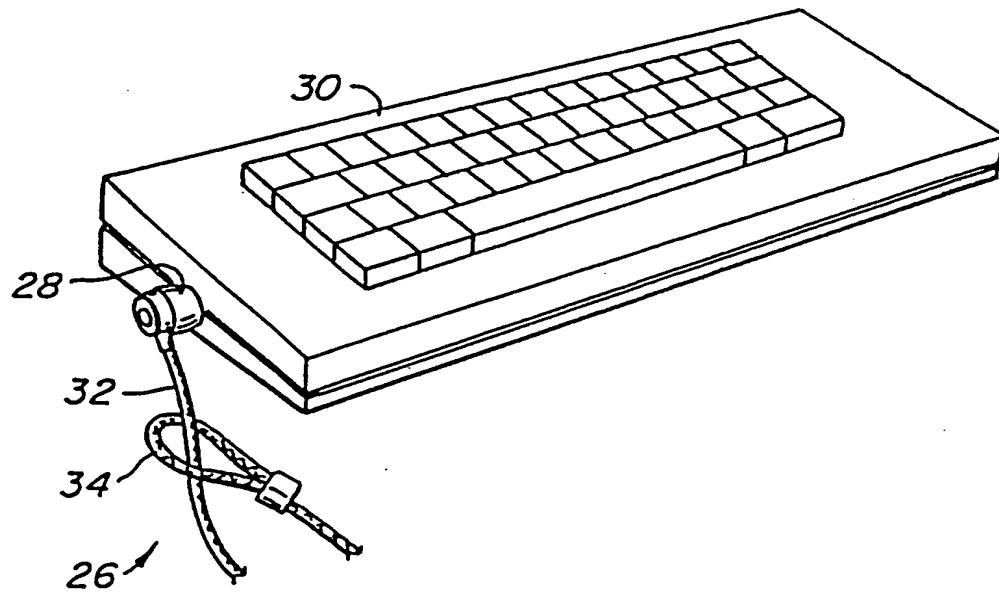
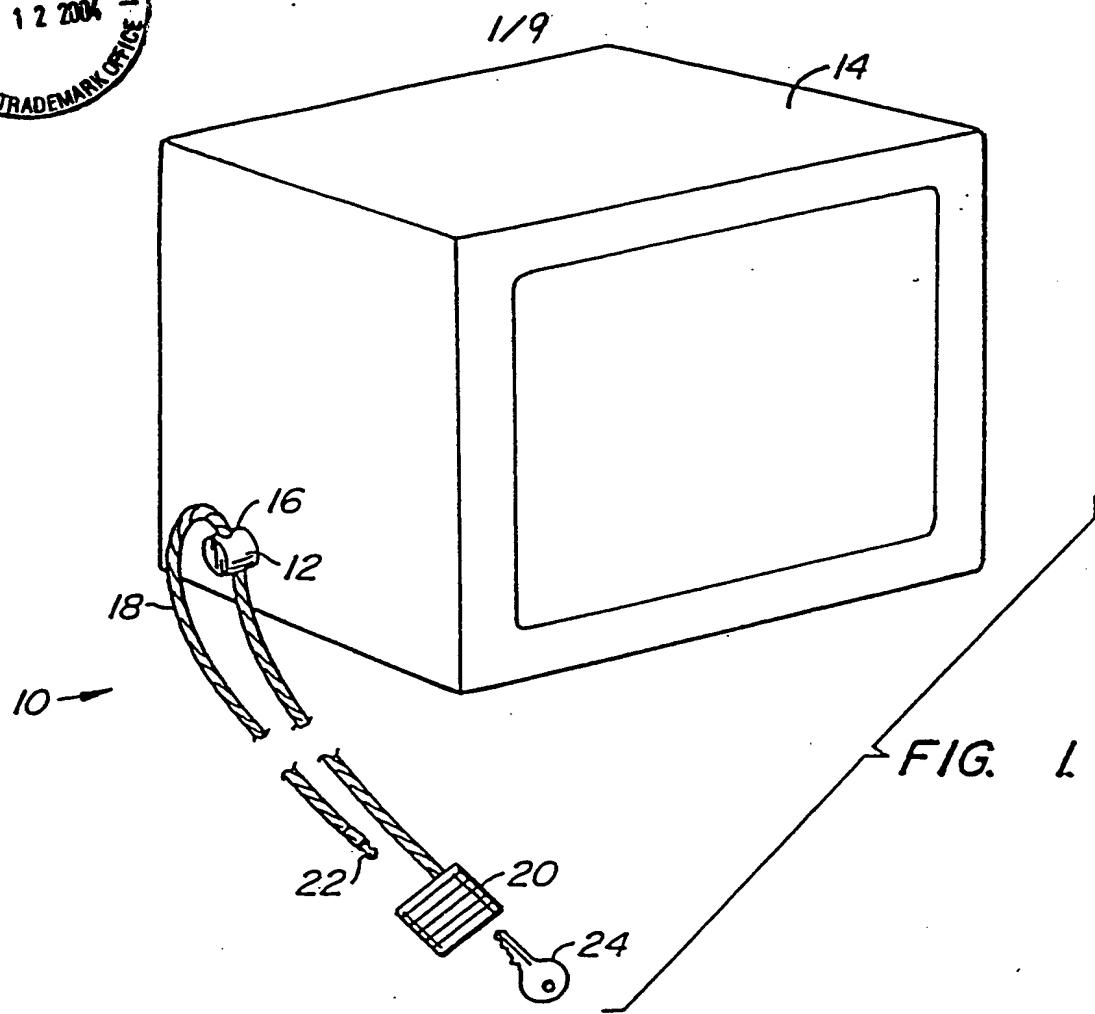


FIG. 2.

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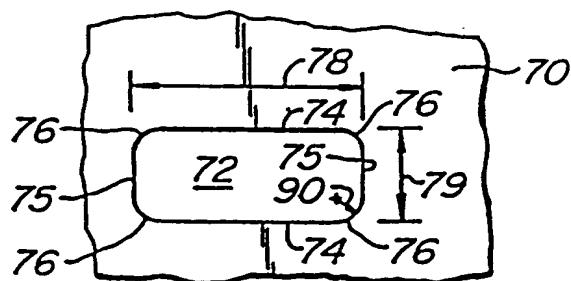
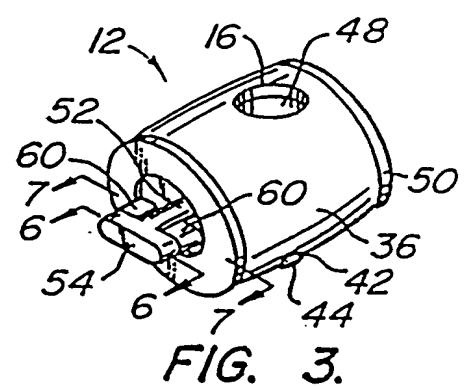
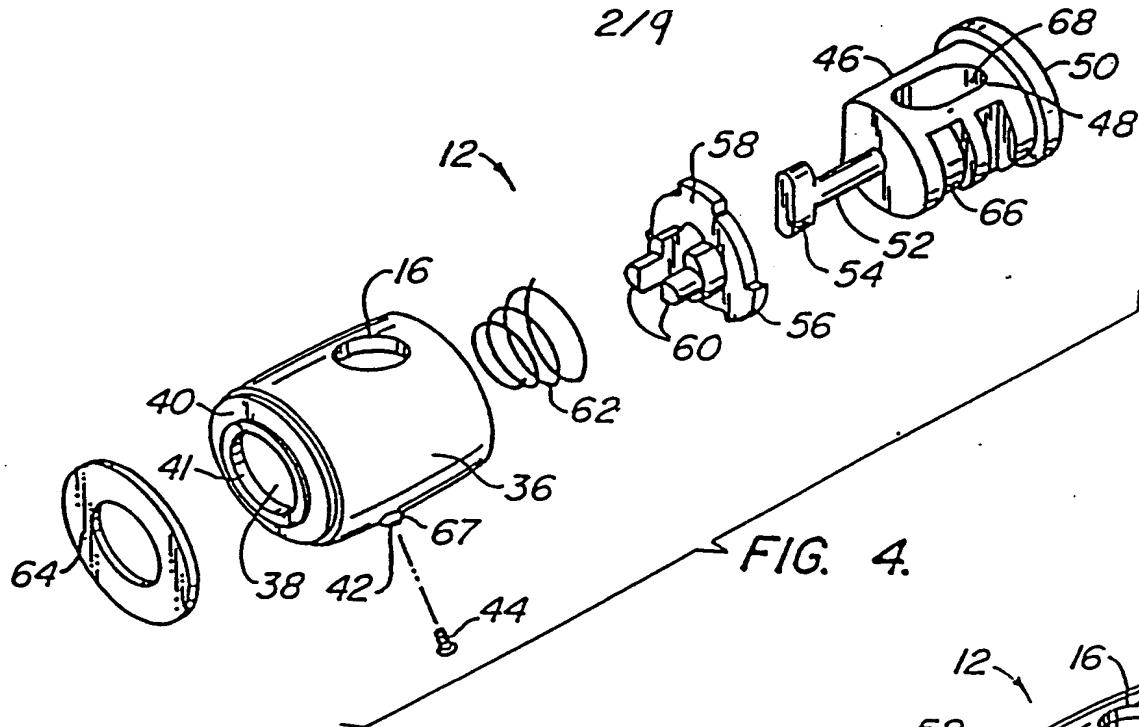


FIG. 5.

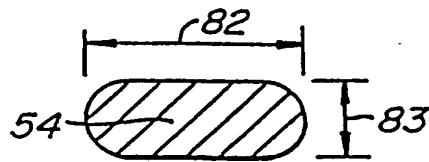


FIG. 6.

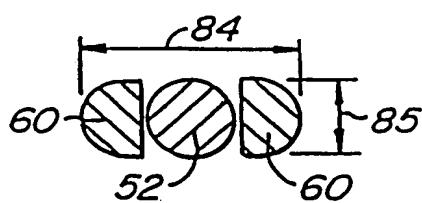


FIG. 7.

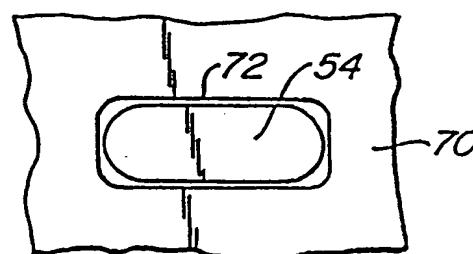


FIG. 8.

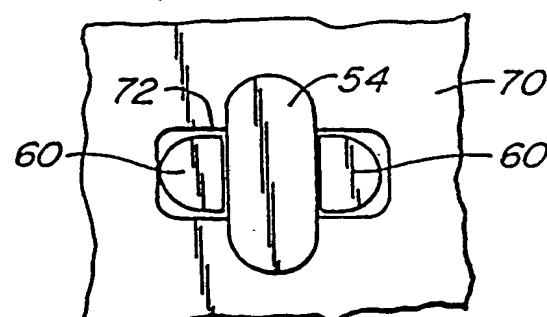


FIG. 9.

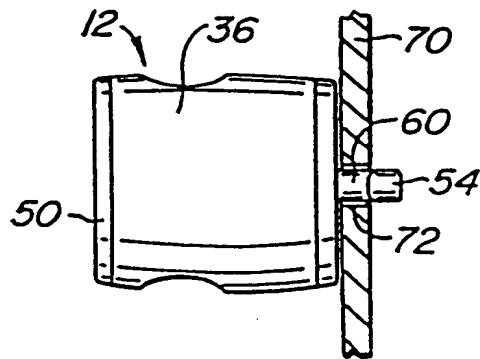


FIG. 10A.

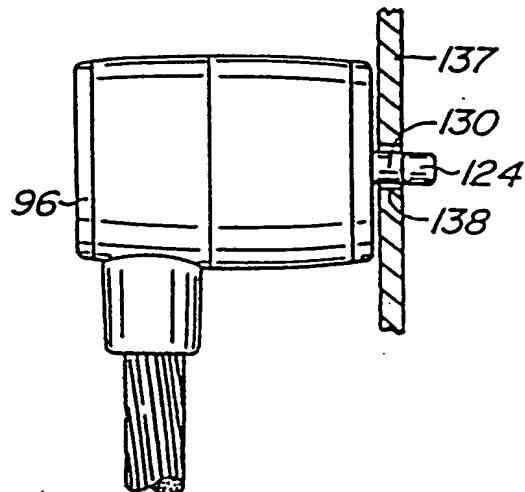


FIG. 13A.

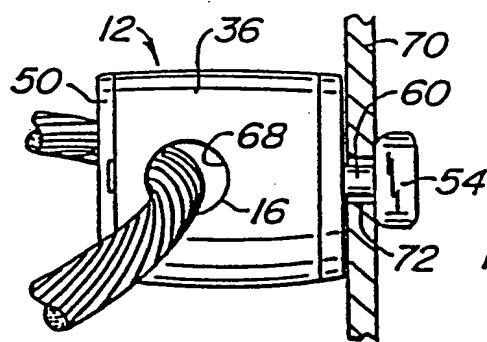


FIG. 10B.

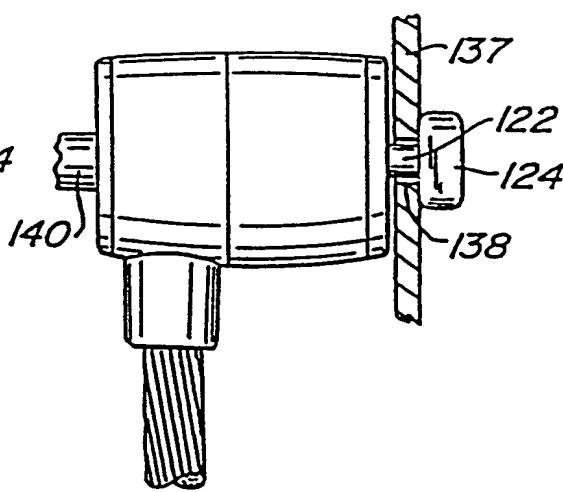
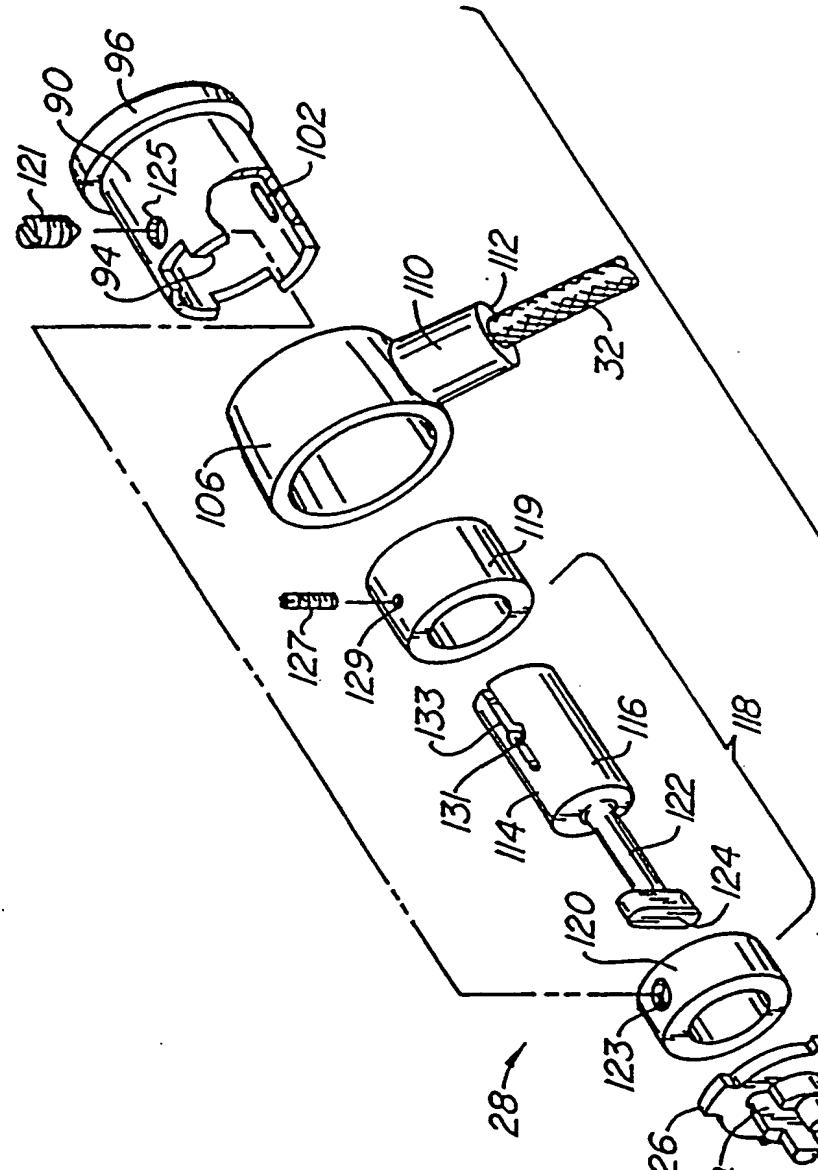


FIG. 13B.



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FIG. 12.

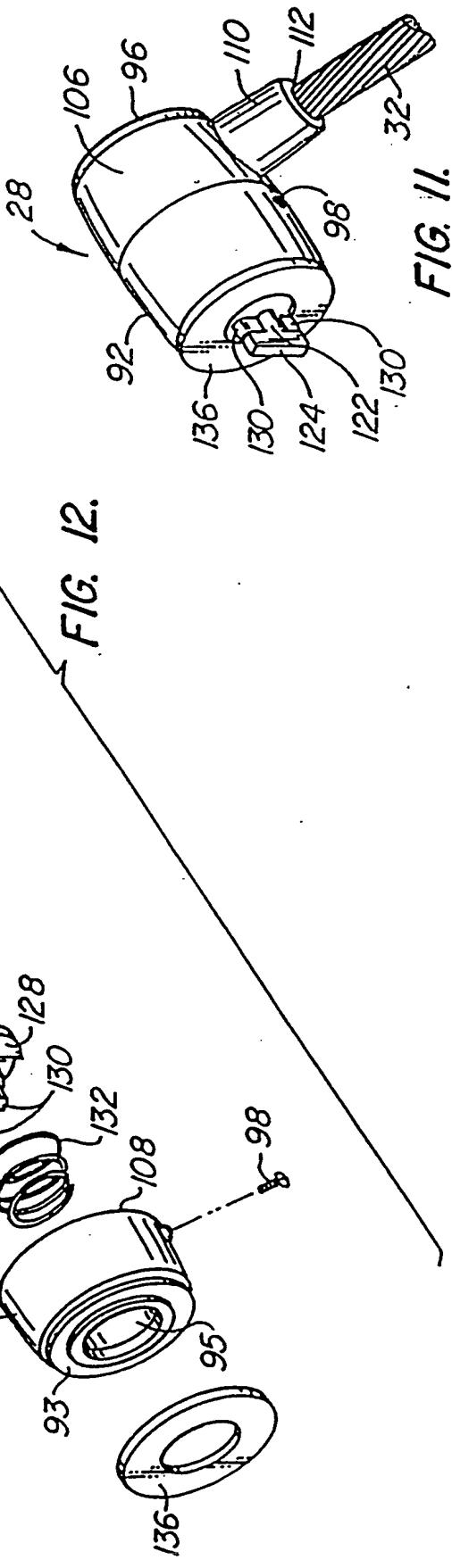


FIG. 11.

*FIG. 14.*

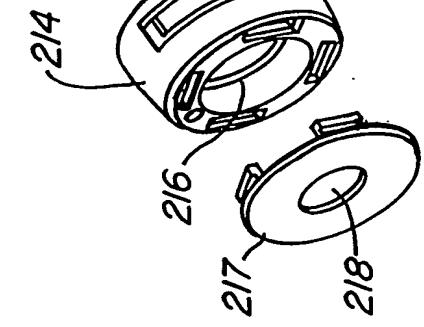
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*FIG. 15.*

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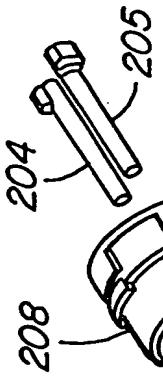
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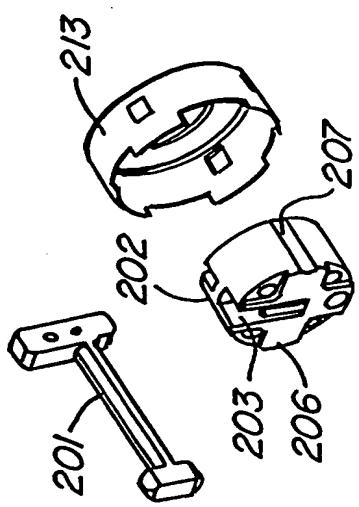
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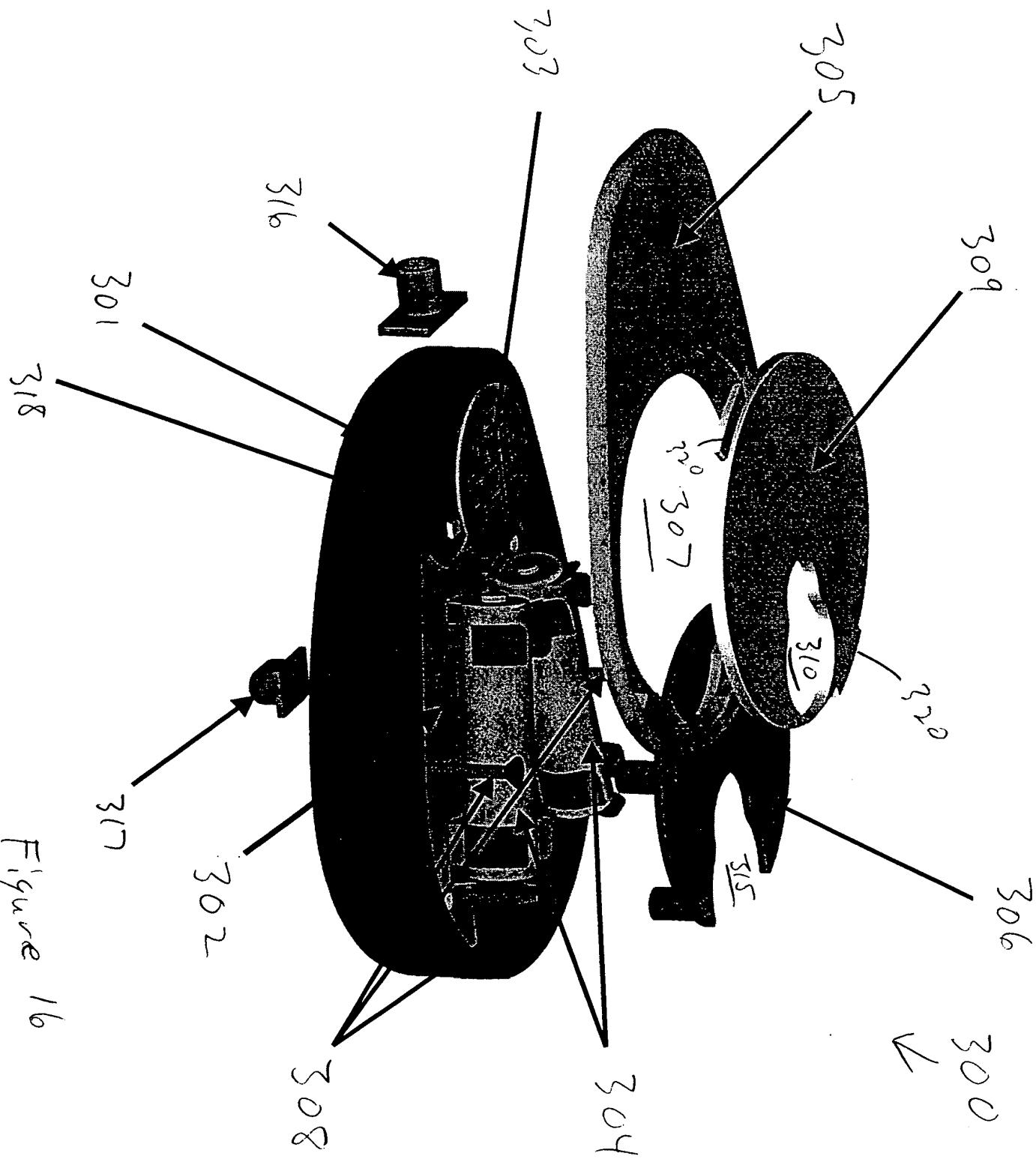
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Figure 16



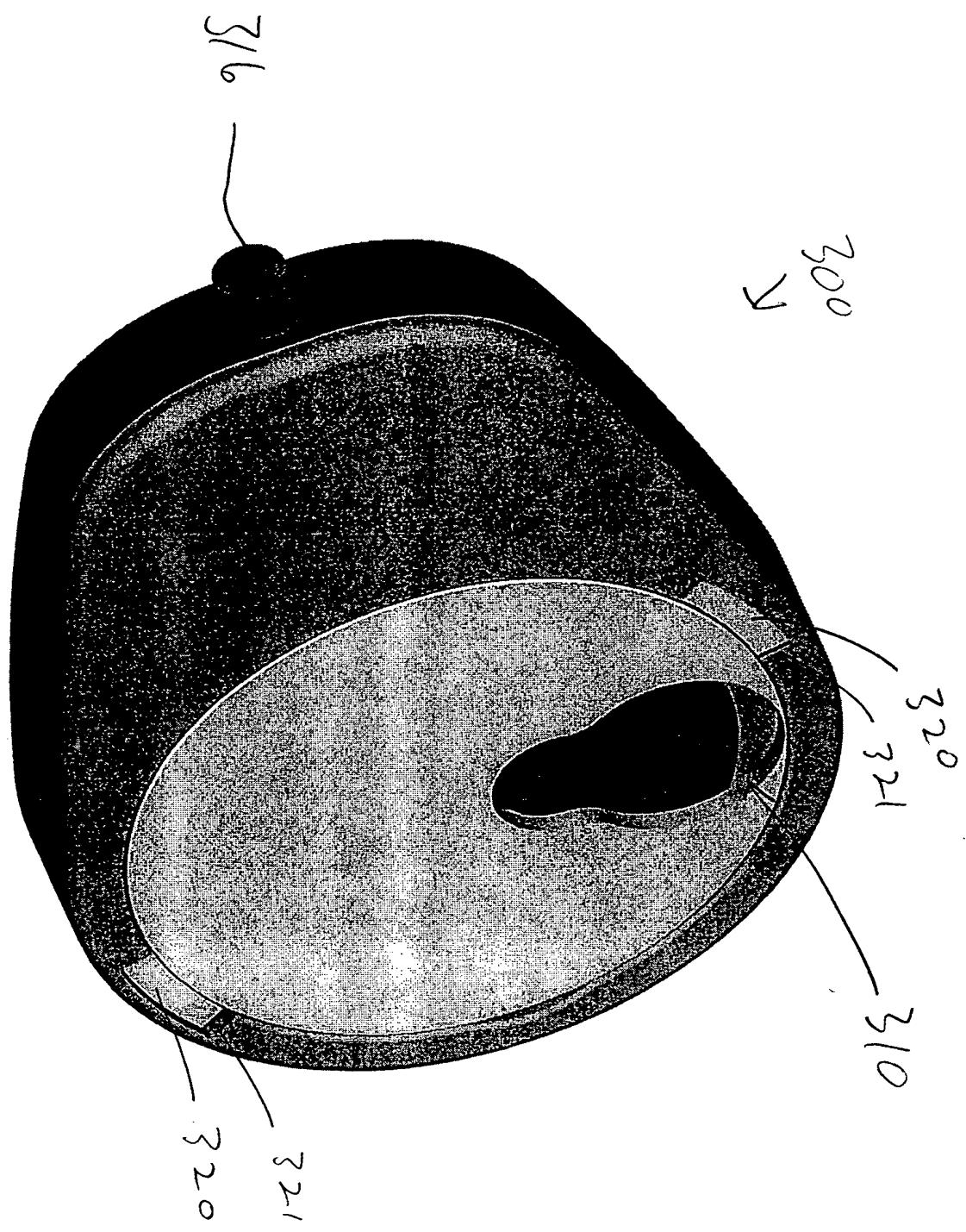


Figure 17

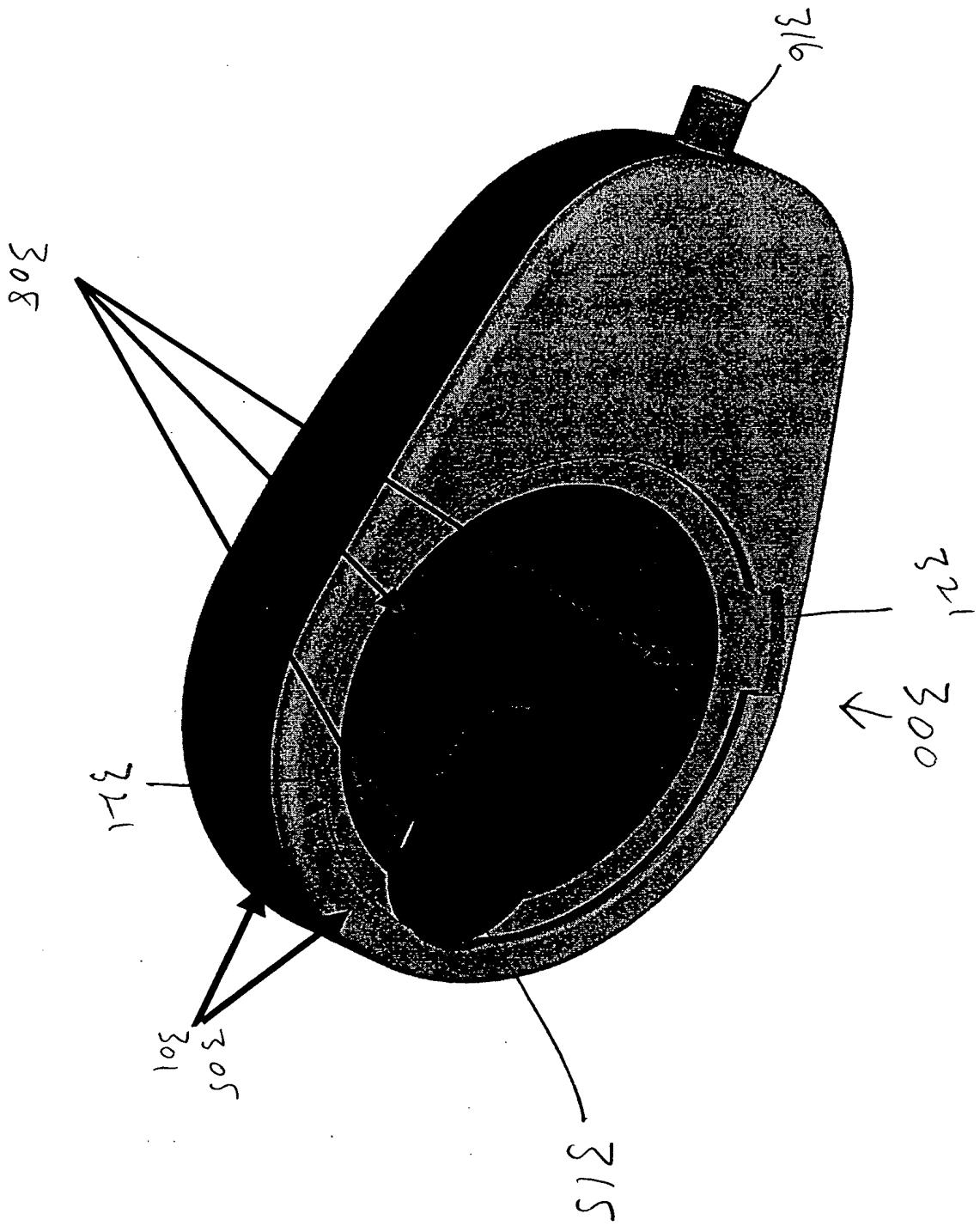
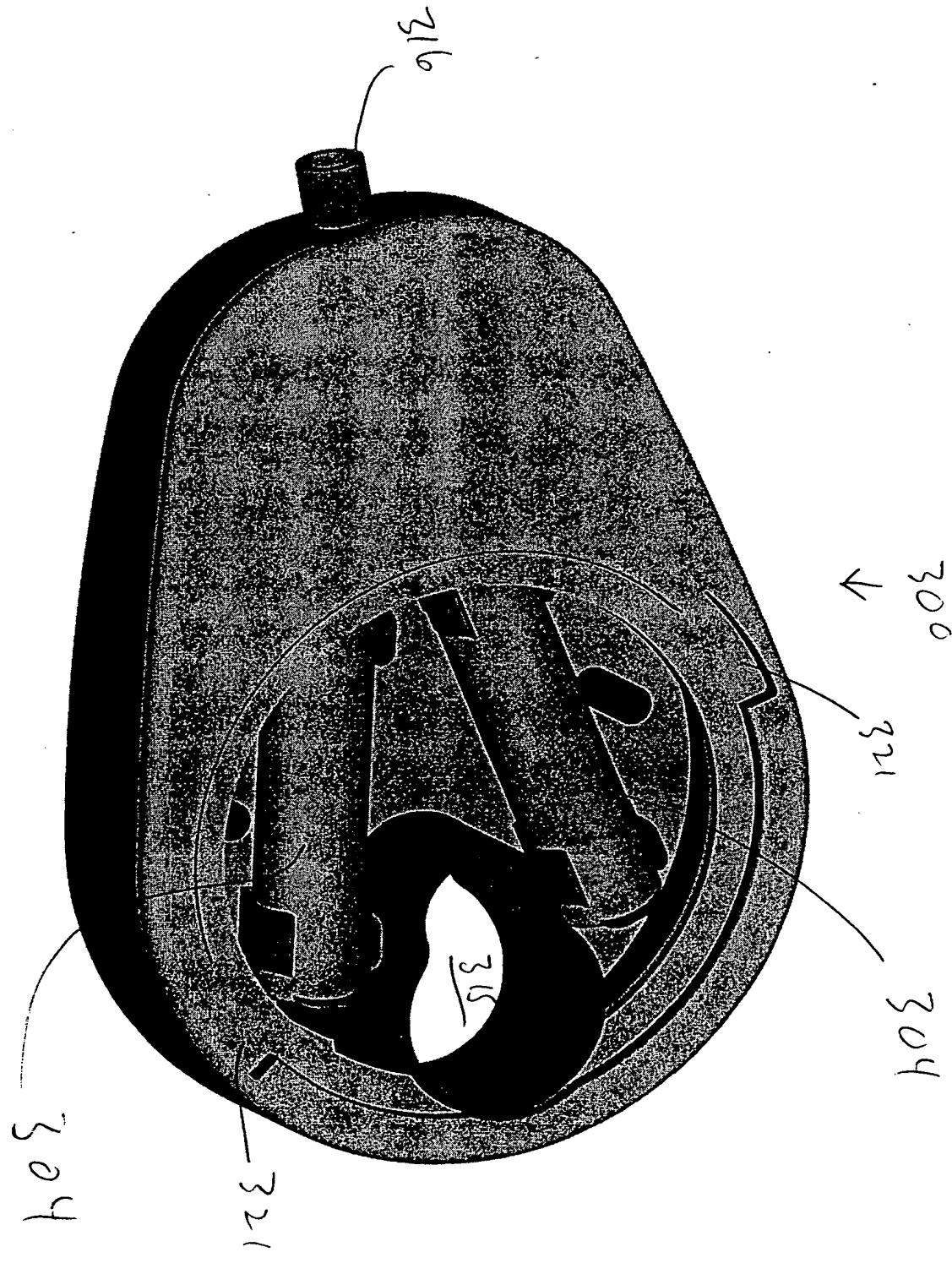


Figure 18

Figure 19



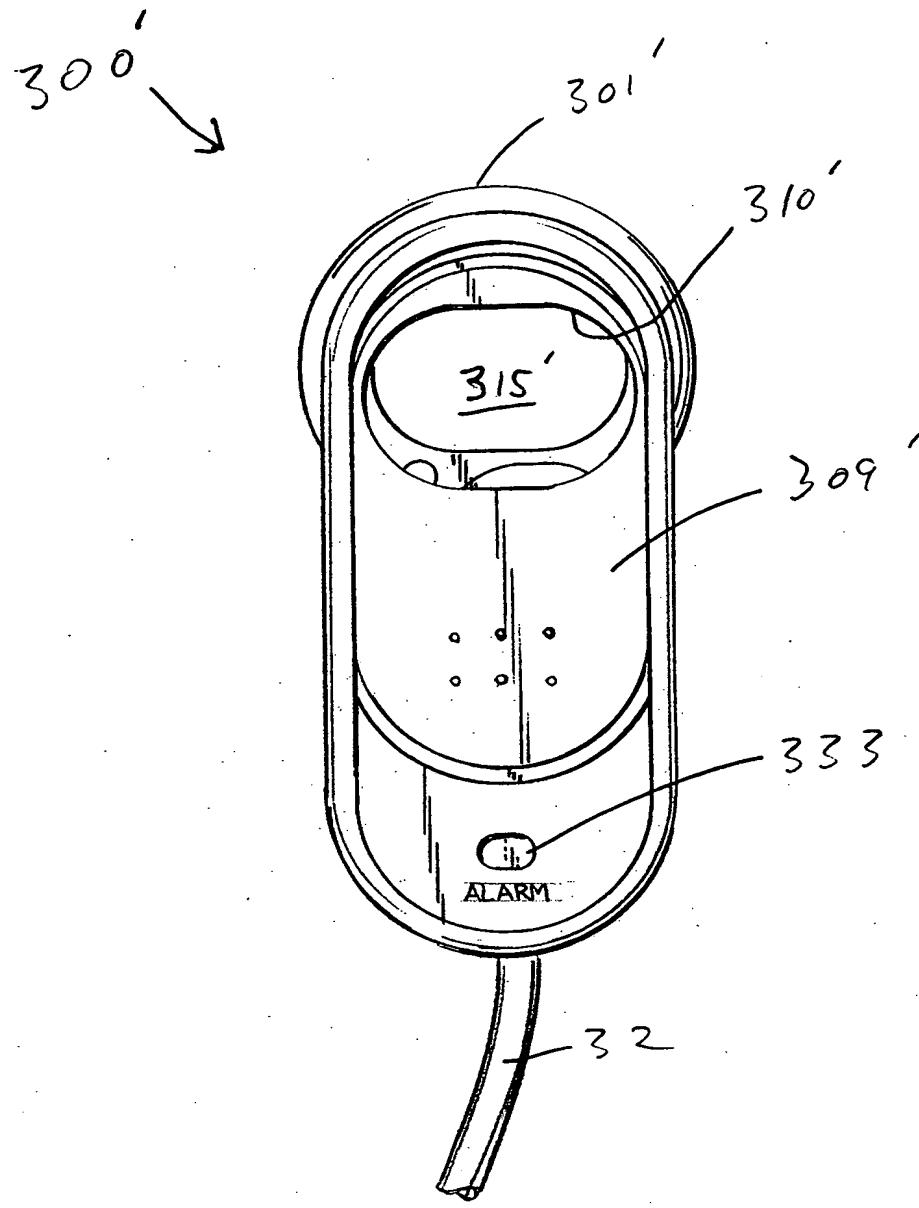


FIGURE 20

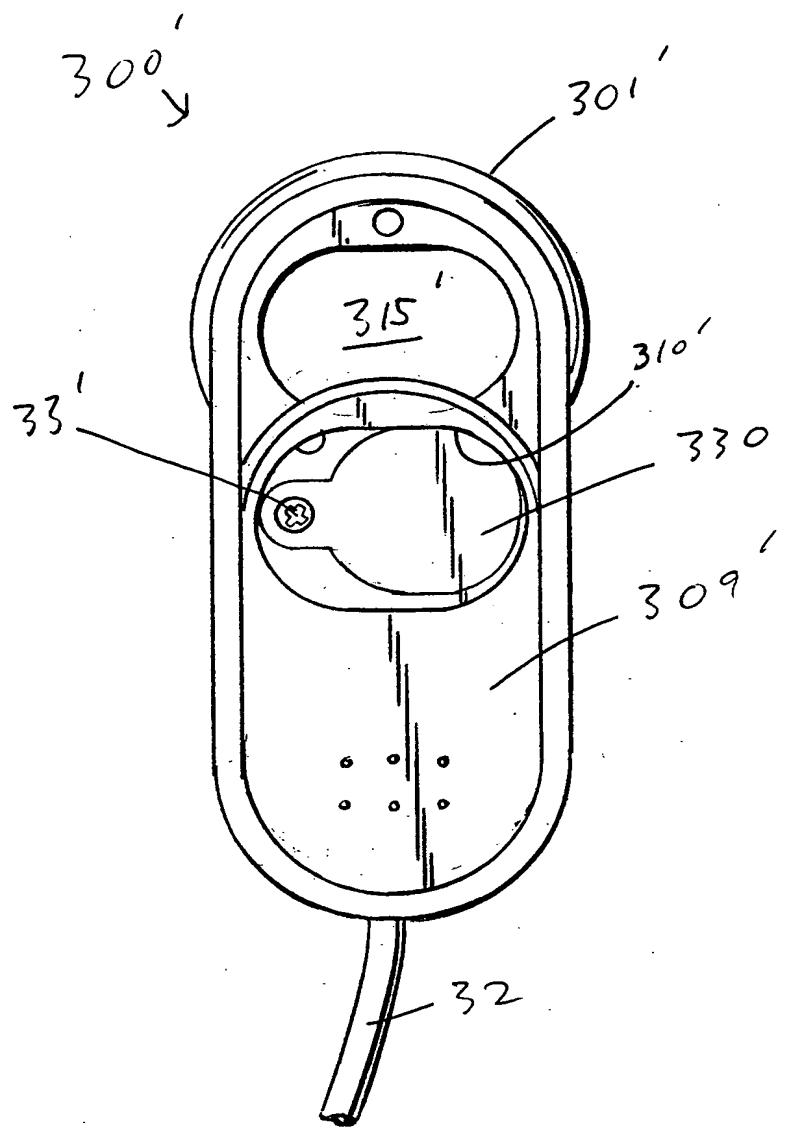


FIGURE 21

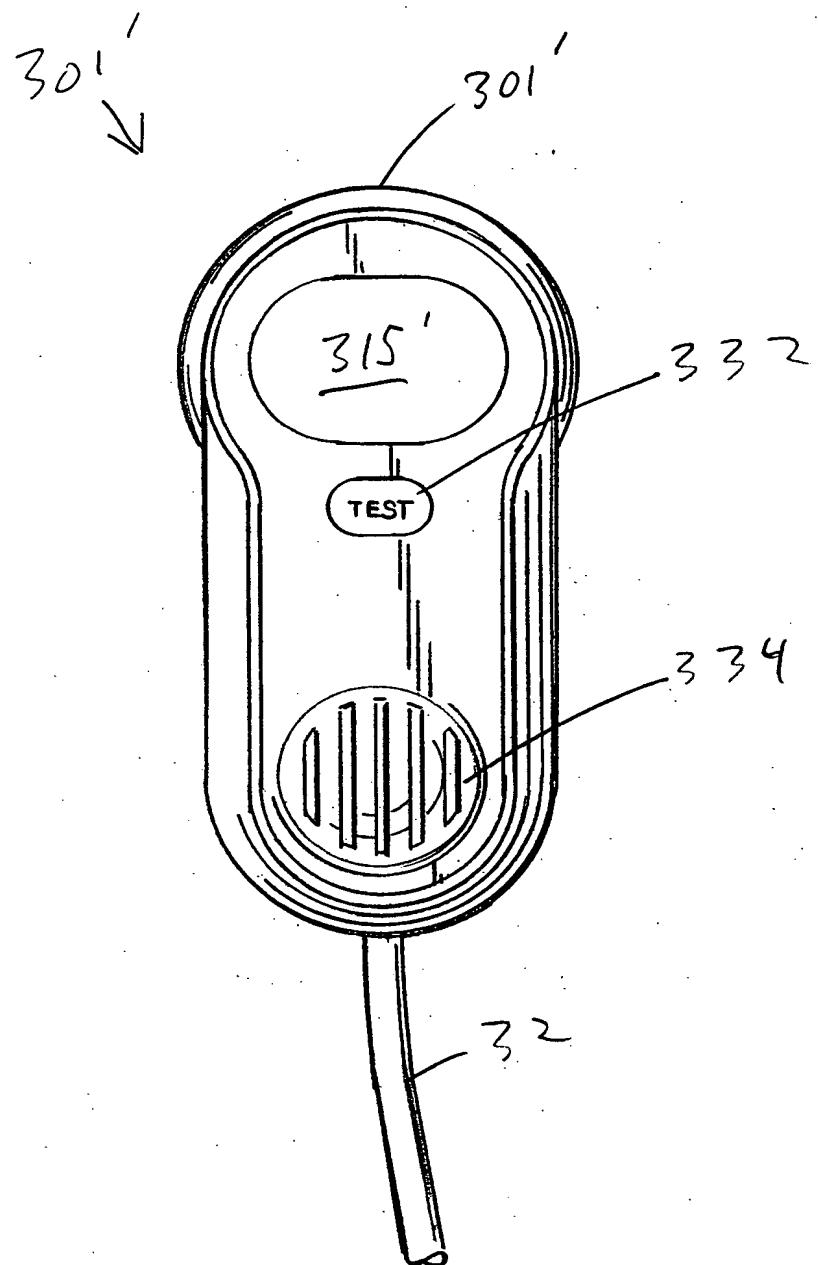


FIGURE 22